



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 2, 290 Broadway, 17th Floor
New York, NY 10007

JAN - 5 2015

BY EMAIL AND FOIA ONLINE

Robert Paul La Gravenis
K&L Gates, LLP
1085 Raymond Boulevard
One Newark Center, 11th Floor
Newark, New Jersey 07102-5252

Re: Freedom of Information Act (FOIA) Request EPA-R2-2014-006018

Dear Mr. La Gravenis:

This will respond to your Freedom of Information Act ("FOIA") request EPA-R2-2014-006018 seeking emails, correspondence, and other documents relating to: (1) EPA's 2008 Conceptual Site Model ("CSM") and Empirical Mass Balance Model ("EMBM") developed as part of the LPRSA lower 8 mile Focused Feasibility Study ("FFS") and any comments, revisions or changes to the CSM that were considered by EPA in the development and issuance of the Proposed Plan for the lower 8 miles of the LPRSA; and (2) EPA's June 2008 peer review of the CSM and EMBM.

EPA previously released information responsive to this request on May 27, 2014 through FOIAonline. Additional responsive information was released through FOIAonline between October 20, 2014 and December 9, 2014. This completes our response.

In addition to the information released, EPA is withholding certain responsive information that is exempt from disclosure as set forth on the enclosed withholding log. Where it was possible to segregate nonexempt information from the privileged portions of a responsive document, we have done so. However, segregation was not possible as to a number of the documents. *See, e.g., Horowitz v. Peace Corps*, 428 F.3d 271, 277 (D.C. Cir. 2005) (protecting document where decision maker's thought processes are woven into document to such an extent that any attempt at segregating information would reveal agency deliberations). Where EPA is asserting the deliberative process privilege (embodied within FOIA exemption 5, 5 U.S.C. § 552(b)(5)) as to documents on the log, that is because the documents are internal communications that are both predecisional and deliberative in nature, and release would have a chilling effect on EPA's ability to conduct frank internal discussions as part of a decision-making process, as well as

contribute to public confusion that might result from disclosure of reasons and rationales that were not in fact ultimately the grounds for an agency's action.

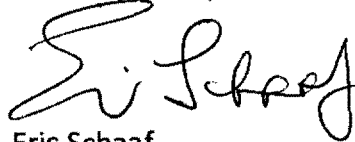
You may appeal this denial response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20004.

Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should clearly identify the determination being appealed, including the assigned FOIA request number shown above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal." See 40 C.F.R. §2.104(j) for further information regarding appeals of adverse determinations under FOIA.

Pursuant to 40 C.F.R. § 2.107, EPA will transmit a bill for the costs incurred by EPA in searching our files, reproducing documents, and preparing our response to your FOIA request. You should receive the bill through FOIAonline, along with instructions for payment.

Please contact Sarah Flanagan of my staff at 212-637-3136 if you have any questions concerning this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Eric Schaaf", written over a horizontal line.

Eric Schaaf
Regional Counsel

Enclosure

cc: Wanda Calderon
Jacqueline Ferreras-De Jesus

Documents Withheld
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Quantity/type of document	Email from/Generated by	Email To/Recipient of	Sent Month-Year	Subjects of documents	Exemption Status
Exemption 5: Deliberative Process					
Three emails and documents transmitted in 2007 between EPA-R2 and EPA-HQ	Yeh, Alice; Ells, Steve; Basso, Ray	Ells, Steve; Yeh, Alice; Woolford, James; Southerland, Elizabeth	11&12/2007	Technical Advisory Committee members; Data Sources and High Resolution Cores	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
86 emails and documents transmitted in 2008 between EPA-R2 and EPA-HQ, including CSTAG members	Greenberg, Marc; Winfield, Richard; Keckler, Kymberlee; Zeller, Craig; Ells, Steve; Tomchuk, Doug; Hiltner, Allison; Bergen, Barbara; Burkhard, Lawrence; Yeh, Alice; Basso, Ray; Naranjo, Eugenia	Yeh, Alice; Tomchuk, Doug; OSWER OSRTI CSTAG@EPA; Hiltner, Allison; Greenberg, Marc; Hayter, Earl; Ells, Steve; Bergen, Barbara; Burkhard, Lawrence; Keckler, Kymberlee; Smith, Craig; Zeller, Craig; Rathke, David; Schaufliker, Frederick; Meyer, John; Sturgeon, Randy; Linebaugh, Stephanie; Gustavson, Karl; Southerland, Elizabeth; Naranjo, Eugenia; Cyterski, Mike; Woolford, James	1,2,3,4,5,7,8, &9/2008	EMBM Comments; CSTAG memo edits; Passaic modeling; resuspension evaluation; Conceptual Site Model Peer Review members	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
Five emails and documents transmitted in 2009 between EPA-R2 and EPA-HQ, including CSTAG members	Yeh, Alice; Ells, Steve; Woolford, James	OSWER OSRTI CSTAG; Woolford, James; Southerland, Elizabeth; Dawson, Helen	1&11/2009	CSTAG Review of Passaic River; CSTAG data needs	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
Eight emails transmitted in 2011 between EPA-R2 and EPA-HQ, including CSTAG members	Ells, Steve; Sturgeon, Randy; Basso, Ray	Basso, Ray; Ells, Steve; Sturgeon, Randy	1&2/2011	CSTAG call on Passaic River	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.

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Quantity/type of document	Email from/Generated by	Email To/Recipient of	Sent Month-Year	Subjects of documents	Exemption Status
Two communications transmitted in 2012 between EPA-R2 and EPA-HQ, including CSTAG members	Ells, Steve	Ells, Steve; Hayter, Earl; OSWER OSRTI CSTAG	June, 2012	Draft material for Passaic CSTAG update	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
Five emails and documents transmitted in 2013 between EPA-R2 and EPA-HQ, including CSTAG members	Greenberg, Marc	Yeh, Alice; Vaughn, Stephanie	1/4/2013	Groundwater transport to river; CSM	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
Eight emails transmitted in 2014 between EPA-R2 and EPA-HQ, including CSTAG members	Ells, Steve; Basso, Ray; Greenberg, Marc	Basso, Ray; Ells, Steve	1&2/2014	Questions relating to Passaic River	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
Four emails or documents created in 2006 within EPA-R2	Butler, Elizabeth; Basso, Ray; Yeh Alice	Basso, Ray; Pavlou, George	8&10/2006	Passaic River; Savannah presentation	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
84 emails and documents created in 2007 within EPA-R2	Yeh, Alice; Naranjo, Eugenia; Basso, Ray; Butler, Elizabeth; Wilson, EricJ	Butler, Elizabeth; Yeh, Alice; Naranjo, Eugenia; Winfield, Richard; legal staff; Basso, Ray; Pitruzzello, Vince; Pavlou, George; McCabe, Bill; Harewood, Charles; Giacalone, Kristin	3,5,6,7,8,9,10, 11 &12/2007	Weekly Notes; Notes from meetings; CARP; Draft Figures; Comments on FFS Appendices; Draft EMBM; Sediment transport; Additional Sampling; Axys extracts	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
107 emails and documents created in 2008 within EPA-R2	Yeh, Alice; Butler, Elizabeth; Naranjo, Eugenia; Winfield, Richard; Hemmett, Roland; Pavlou, George	Butler, Elizabeth; Basso, Ray; Yeh, Alice; Winfield, Richard; Naranjo, Eugenia; Bellow, Bonnie; Pavlou, George; Frisco, John; LaPadula, John	1,2,3,4,5,6,7,8& 9/2008	Weekly Notes; Peer Review questions, candidates; Early Action Fact Sheet; CARP; CSTAG Review; NRRB	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.

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31 emails and documents created in 2009 within EPA-R2	Butler, Elizabeth; Yeh, Alice; Naranjo, Eugenia; Vaughn, Stephanie; Basso, Ray	Yeh, Alice; Vaughn, Stephanie; Milles, Helga; Berman, Lenore, Basso, Ray; McEnery, Courtney; Pavlou, George; Stern, Eric	1,3,4,6,7,10,11&12/2009	Sampling in Passaic/ Newark Bay; PDT meetings; CSM Summit; Review of STM, CARP runs, and revised CSM; Draft figures	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
63 emails and documents created in 2010 within EPA-R2	Butler, Elizabeth; Naranjo, Eugenia; Vaughn, Stephanie; Yeh, Alice; Kluesner, David	Yeh, Alice; Naranjo, Eugenia; Basso, Ray; Kluesner, David	1,2, 3,4,6,7,8,9, 10, 11&12/2010	Contractors; FFS CSM; Conference Abstracts; Integration of CPG data into CSM; Draft figures; Quality Review Checklist	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
19 emails and documents created in 2011 within EPA-R2	Yeh, Alice; Naranjo, Eugenia; Basso, Ray	Naranjo, Eugenia; Yeh, Alice; Basso, Ray; Vaughn, Stephanie; Pavlou, George	1, 2,3,8,9,10&12/2011	Draft FFS document and Appendices; Draft CSM; EMB and Numerical Model; CSTAG	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
26 emails and documents created in 2012 within EPA-R2	Yeh, Alice; Naranjo, Eugenia; Mugdan, Walter; Basso, Ray	Naranjo, Eugenia; Yeh, Alice; Basso, Ray; Mugdan, Walter	1,2,3,4,5,6,7,8,9, 10,11,&12 /2012	CSM/EMBM; Data Evaluation Report; NRRB; Notes of biweekly meetings	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
29 emails and documents created in 2013 within EPA-R2	Yeh, Alice; Vaughn, Stephanie; Woolford, James; Ells, Steve	Vaughn, Stephanie; Olsen, Marian; Nace, Charles; Hick, Patricia; Greenberg, Marc, Ells, Steve	1,2,34,5,6,7,8, 9,10,11&12/2013	draft data evaluation report; Coordination with HQ; Notes of biweekly meetings	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
Four emails transmitted in 2014 within EPA-R2	Naranjo, Eugenia; Vaughn, Stephanie; Basso, Ray	Vaughn, Stephanie; Yeh, Alice; Naranjo, Eugenia	1/21/2014	CPG CSM; Comments on FFS	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
18 emails and documents transmitted in 2006 between within EPA-R2 and its contractors	McDonald, Shane; Accardi-Dey, AmyMarie; Buckrucker, Elizabeth; Butler, Elizabeth	Naranjo, Eugenia; Thompson, Scott; Warner, Len; Goldstein, Kenneth J.; Fidler, Bruce; Logigian, John; Bossi, Liam	6&8/2006	Draft tables; discussion of data used in evaluating groundwater; Battelle sediment conference	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.

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236 emails and documents created in 2007 between within EPA-R2 and its contractors	Basso, Ray; Yeh, Alice; Buckrucker, Elizabeth; Bossi, Liam; Thompson, Scott; Hayter, Earl; Dortch, Mark S.; Garland, Edward; McDonald, Shane; Warner, Len; Fidler, Bruce; Accardi-Dey, AmyMarie	Thompson, Scott; Bossi, Liam; Naranjo, Eugenia; Garvey, Ed; Basso, Ray; Butler, Elizabeth; Hayter, Earl; Buckrucker, Elizabeth; Fidler, Bruce; Schroeder, Paul; Johnson, Billy; Dortch, Mark S; Gailani, Joe Z; Warner, Len; Garland, Edward; McGrath, Dennis G.; Yeh, Alice; Fitzpatrick, James; McDonald, Shane; Greenberg, Marc; Atmadja, Juliana; Hansen, Clarissa; Gallaher, Tom; Gunster, Don; Accardi-Dey, AmyMarie	1,2,3,5,6,7,8,9,10&11/2007	Data Sources and High Resolution Cores; Sediment Transport Modeling; Additional Sampling; Review of EMBM; SETAC Abstracts; Review of and comments on Draft FFS and Appendices; DQOs; Draft QAPPs; CSM technical support; Sedflume; Pore Water Analyses; Groundwater discharge; Draft NRRB presentation; Future Sediment Concentration; Draft FFS Fact Sheets; NNRB draft outline	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.

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214 emails and documents created in 2008 between EPA-R2 and its contractors	Garvey, Edward; DiToro, Dominic; Buckrucker, Elizabeth; Fidler, Bruce; Bopp, Richard; Naranjo, Eugenia; Hayter, Earl; Fitzpatrick, James; Thompson, Scott; Yeh, Alice; Winfield, Richard; Paquin, Paul; Zeiner, Carolyn; Rodgers, Pamela; Brownawell, Bruce; Garvey, Edward; Atmadja, Juliana	Naranjo, Eugenia; Garland, Edward; Fidler, Bruce; Brownawell, Bruce; Bopp, Richard; Butcher, Jon; DiToro, Dominic; Lick, Willy; Christensen, Eric; Garland, Edward; McDonald, Shane; Yeh, Alice; Basso, Ray; Hayter, Earl; Fitzpatrick, James; Gallagher, Tom; Buckrucker, Elizabeth; Thompson, Scott; Gailani, Joe Z; Garvey, Edward; Paquin, Paul; Winfield, Richard; Zeiner, Carolyn; Barrows, Elisabeth; Richardson, Norman, Maxemchuk, Amanda; Grzesik, Dustin; Atmadja, Juliana; Farley, Kevin	1,2,3,5,6,7,9&10/2008	Comments on CSM, EMBM; CSM Peer Review; Bathymetric comparisons; CSM figures; Comments on EMBM; Evaluation of Modeling Frameworks; CSTAG briefing; TAC Members; CSM Summit; Sediment Transport Modeling; Cluster Analysis; Review of CSTAG comments; Data usability Study	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.

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70 emails and documents transmitted in 2009 between EPA-R2 and its contractors	Yeh, Alice; Basso, Ray; Buckrucker, Elizabeth; Warner, Len; Fidler, Bruce; Naranjo, Eugenia; Hayter, Earl; Zeiner, Carolyn	Garvey, Ed; Warner, Len; Vaughn, Stephanie; Basso, Ray; Butler, Elizabeth; Thompson, Scott; Buckrucker, Elizabeth; Jones, Craig; Yeh, Alice; Goldstein, Kenneth J.; Hayter, Earl; Garland, Edward; Fitzpatrick, James; Garvey, Edward; Naranjo, Eugenia; Fidler, Bruce; Gbondo-Tugbawa, Solomon; Farley, Kevin; Gallagher, Tom; McGrath, Dennis G.	1,2,3,4,6,7,8,10, 11, 12/2009	SETAC; Passaic/Newark Bay Sampling; Sediment Stability; Schedule for FFS; Sediment Transport Modeling; Review of Draft CSM; CSTAG submittal; Bathymetric Analysis; CSM Summit	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
172 emails and documents transmitted in 2010 between EPA-R2 and its contractors communicating information that is predecisional and deliberative.	Accardi-Dey, AmyMarie; Buckrucker, Elizabeth; Hayter, Earl; Gbondo-Tugbawa, Solomon; Jones, Craig; Yeh, Alice; Thompson, Scott; Garvey, Edward; Garland, Edward; Zeiner, Carolyn; Fidler, Bruce; Kern, John	Yeh, Alice; Vaughn, Stephanie; Naranjo, Eugenia; Pratt, Thad; Smith, Jarrell; Yeh, Alice; Buckrucker, Elizabeth; Gailani, Joe Z; Zeiner, Carolyn; Fidler, Bruce; Gbondo-Tugbawa, Solomon; Jones, Craig; Garland, Edward; Garvey, Edward; Sanford, Larry; Butler, William C; Thompson, Scott; Fidler, Bruce; Kern, John; Flood, Roger; Gallagher, Tom; Fitzpatrick, James; Barrows, Elizabeth; Richardson, Norman; Rodgers, Pamela; Budney, Sharon; Hayter, Earl; Loo, Thalia	2,3,4,5,6,7,8,9,10, 11&12/2010	Discussing communications with Partner Agencies; Communications with and Information for ERDC; Bathymetric Survey Review; Elements of CSM; Battelle Conference Abstracts; CSM-STSU reconciliation; CAD cell evaluation; Updating EMBM; Integration of CPG data into CSM; Communications with OSI; FFS Schedule	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.

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Quantity/type of document	Email from/Generated by	Email To/Recipient of	Sent Month-Year	Subjects of documents	Exemption Status
54 emails and documents transmitted in 2011 between EPA-R2 and its contractors	Gbondo-Tugbawa, Solomon; Garland, Edward; Thompson, Scott; Buckrucker, Elizabeth; Naranjo, Eugenia; Fitzpatrick, James; AccardiDey, AmyMarie; Fidler, Bruce	Yeh, Alice; Naranjo, Eugenia; Paquin, Paul; Garvey, Edward; Buckrucker, Elizabeth; Fitzpatrick, James; Garland, Edward; Richardson, Norman; Rodgers, Pam; Gbondo-Tugbawa, Solomon; Fidler, Bruce; Thompson, Scott; Gbondo-Tugbawa, Solomon; Hayter, Earl	1,3,4,5,7,10&12 /2011	CSM Trajectories and Model Forecasts; Draft figures and tables; Review of FFS Data Evaluation Report; Review of FFS RI Report Chapters; Integration of CPG data into CSM; Draft CSM Summit Action Items	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
55 emails and documents transmitted in 2012 between EPA-R2 and its contractors	Warner, Len; Gbondo-Tugbawa, Solomon; Fidler, Bruce; Buckrucker, Elizabeth; Thompson, Scott; Garvey, Edward; Atmadja, Juliana	Buckrucker, Elizabeth ; Naranjo, Eugenia; Yeh, Alice; Thompson, Scott; Rodgers, Pamela; Richardson, Norman; Barrows, Elizabeth; Atmadja, Juliana; Garvey, Edward; Loor, Thalia	2,3,4,5,7,8,9,10, 11&12/2012	High Resolution cores; Draft figures and tables; CSM Peer Review Report; Comments on Data Evaluation Reports and other Appendices; EMBM Trajectories; Quality Review Checklist; Draft FFS RI	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
61 emails and documents transmitted in 2013 between EPA-R2 and its contractors	Vaughn, Stephaniel Atmadja, Juliana; Thompson, Scott; Yeh, Alice; Richardson, Norman; Franklin, Elizabeth; Bailey, Sharon L; Fidler, Bruce; McGrath, Dennis	Budney, Sharon; Kirchner, Scott; Yeh, Alice; Garvey, Edward; Atmadja, Juliana; Thompson, Scott; Richardson, Norman; Franklin, Elizabeth; Fidler, Bruce	1,2,4,5,6,7,8,9,11&12/2013	Draft FFS, Appendices, and figures; Comments on Data Evaluation Reports; Sediment PRGs and Model Outputs; BSAF Regression; Colocation of COPCs and COPECs; Peer review of CSM; CSM & EMBM tasks: Quality Review Checklist	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.
19 emails and documents transmitted in 2014 between EPA-R2 and its contractors	Wang, Xiulan; Yeh, Alice; Fidler, Bruce; Atmadja, Juliana; Richardson, Norman	Naranjo, Eugenia; Richardson, Norman A; Warner, Len; Fidler, Bruce; Thompson, Scott; Yeh, Alice; Atmadja, Juliana; Bilimoria, Maheyar	1&2/2014	Peer review of EMBM, Comments on Appendices, including Data Evaluation Reports; Quality Review Checklist; Notes of biweekly meetings.	Exemption 5: communicating information that reflects the deliberative process and is predecisional and deliberative.

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Quantity/type of document	Email from/Generated by	Email To/Recipient of	Sent Month-Year	Subjects of documents	Exemption Status
Exemption 5: Deliberative Process; Exemption 7(a): Interference with enforcement proceedings					
15 Internal emails or notes between EPA technical staff	Naranjo, Eugenia; Greenberg, Marc; Nace, Charles	Nace, Charles, Burkhard, Lawrence; Yeh, Alice	June, 2008; July, 2012; April 2013	Newark Bay Ecological Risk Assessment; NJDEP Comments on Data Evaluation Reports; Comments on CSM	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; Exemption 7(a): documents compiled for enforcement purposes, disclosure of which would interfere with enforcement proceedings.
50 communications between EPA and Partner Agencies	MacGregor, Janine; Yeh, Alice; Basso, Ray; Kubiak, Tim; Mehran, Reyhan; Doyle, David; Hayton, Anne; Baron, Lisa; Weppler, Peter	Yeh, Alice; MacGregor, Janine; Slezak, William; Baron, Lisa; Mehran, Reyhan; Kubiak, Tim; Green, Elkins; Cozzi, Tom; Hayton, Anne; Nace, Charles; Olsen, Marian; Durrell, Gregory; EPA attorneys	7,10,11/2006; 6&9/2008; Nov. 2009; Aug. 2010; 7&10/2011; 4,5,7,8,9&11/2012; 9,10,11&12/2013; January, 2014	RI/FFS and Appendices, including Data Evaluation Report 6; CSM Summit Action Items; Scheduling of meetings; references for mercury in fish tissue; Sediments Conference; Draft Figures	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; Exemption 7(a): documents compiled for enforcement purposes, disclosure of which would interfere with enforcement proceedings.
27 communications between EPA and its contractors	Barrows, Elisabeth; Buckrucker, Elizabeth; Hayter, Earl; Garvey, Edward; Zeiner, Carolyn; Fidler, Bruce; Thompson, Scott; Atmadja, Juliana; Yeh, Alice	Thompson, Scott; Garvey, Edward; Yeh, Alice; Buckrucker, Elizabeth; Fitzpatrick, James; Garland, Ed; Richardson, Norman A; Rodgers, Pamela J; Gbondo-Tugbawa, Solomon; Naranjo, Eugenia; Fidler, Bruce; Loor, Thalia	Sept. 2007; June, 2008; Dec. 2009; 5,7&10/2011; 4,5,6,7,8&10/2012; 10,11&12/2013; Jan. 2014	FFS RI chapters and Appendices review; CSM Scope; CSM Summit Tasks; NRRB Packager Review; Scheduling; NJDEP comments on Data Evaluation Reports; Draft Peer Review report; Quality Review Checklist	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; Exemption 7(a): documents compiled for enforcement purposes, disclosure of which would interfere with enforcement proceedings.

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Quantity/type of document	Email from/Generated by	Email To/Recipient of	Sent Month-Year	Subjects of documents	Exemption Status
34 emails or documents communicating among EPA, the Partner Agencies, and EPA contractors.	Yeh, Alice; Fidler, Bruce	Hayton, Anne; Kern, John; Yeh, Alice; Hayter, Earl; Garland, Ed; Buckrucker, Elizabeth; MacGregor, Janine; Fitzpatrick, James; Farley, Kevin; Naranjo, Eugenia; Basso, Ray; Thompson, Scott; Gbondo-Tugbawa, Solomon; Gallagher, Tom; Cozzi, Tom; Basso, Ray; Vaughn, Stephanie; Ells, Steve; Greenberg, Marc; Hayter, Earl; Garvey, Edward; Fidler, Bruce; Pecchioli, Joel	July, 2006; 3&6/2007; May, 2008; 7,10&11/2009; January, 2011; 7&8/2012; September, 2013; 2014	CSM Summit; CARP CSO data; Sediments Conference; CSM questions	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; Exemption 7(a): documents compiled for enforcement purposes, disclosure of which would interfere with enforcement proceedings.
Exemption 5: Deliberative Process, Attorney Work-Product and Attorney-Client Communications & 7(a): Interference with Enforcement					
Eight emails or documents internal to EPA	Yeh, Alice; Flanagan, Sarah	Olsen, Marian; Flanagan, Sarah; Hick, Patricia; Yeh, Alice	7/2008, 5/2012	Discussing communications with Partner Agencies	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice; attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories; Exemption 7(a): documents compiled for enforcement purposes, disclosure of which would interfere with enforcement proceedings.

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Quantity/type of document	Email from/Generated by	Email To/Recipient of	Sent Month-Year	Subjects of documents	Exemption Status
Seven emails and documents transmitted between EPA and Partner Agencies, including attorneys	Yeh, Alice; Dickinson, John	Hick, Patricia; Flanagan, Sarah; MacGregor, Janine; Baron, Lisa, Mehran, Reyhan; Kubiak, Tim; Basso, Ray; Cozzi, Tom	7/2007, 1/2012 & 4/2012	Comments on Draft FFS and Appendices	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice; attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories; Exemption 7(a): documents compiled for enforcement purposes, disclosure of which would interfere with enforcement proceedings.
Six emails or documents transmitted among EPA, including attorneys, Partner Agencies and contractors	Yeh, Alice	Hick, Patricia; Flanagan, Sarah; MacGregor, Janine; Garvey, Ed; Tugbawa, Solomon; Atmadja, Juliana; Loor, Thalia; Thompson, Scott; Cozzi, Tom; Blumberg, Alan; Garland, Ed; Farley, Kevin; Fitzpatrick, Jim; Hayter, Earl; Greenberg, Marc; Fidler, Bruce; Kern, John; Budney, Sharon; Ells, Steve; Buckrucker, Elizabeth; Hayton, Anne; Butler, Elizabeth; Ells, Steve; Goldstein, Kenneth; Gallagher, Tom	11/2009; 5&8/2012; 9/2013	Draft Comments; CSM Summit Action Items; Sediment Transport; Data Evaluation Reports; Appendix C, Mass Balance Modeling Analysis	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice; attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories; Exemption 7(a): documents compiled for enforcement purposes, disclosure of which would interfere with enforcement proceedings.

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Two documents transmitted between EPA and contractors incorporating attorney work product and advice	Yeh, Alice	Atmadja, Juliana; Thompson, Scott; Gbondo-Tugbawa, Solomon; Garvey, Edward	5/7/2012	NJDEP comments on EMBM	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice; attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories; Exemption 7(a): documents compiled for enforcement purposes, disclosure of which would interfere with enforcement proceedings.
Exemption 5: Deliberative Process and Attorney-Client Communication					
42 EPA Internal emails or documents transmitted between technical and legal staff	Flanagan, Sarah; Hick, Patricia; Yeh, Alice; Naranjo, Eugenia; Butler, Elizabeth; Reddy, Kedari; Basso, Ray	Vaughn, Stephanie; Yeh, Alice; Hick, Patricia; Naranjo, Eugenia; Butler, Elizabeth; Basso, Ray; Flanagan, Sarah; Olsen, Marian; Nace, Chuck; Reddy, Kedari	12/2006; 10/2007; 2,5,9&10/2008 10&11/2009; 4,5,&7/2012; 11&12/2013; 1/2014	LPRSA RI/FS Interim CSM & Modeling Submissions; FFS and Appendices; CSM Summit; Peer Review and Reviewers; Passaic Fact Sheets; Conflict of Interests; NRRB site information package; RI/FS AOC	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice

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Quantity/type of document	Email from/Generated by	Email To/Recipient of	Sent Month-Year	Subjects of documents	Exemption Status
14 transmittals in emails or documents within EPA incorporating attorney advice	Basso, Ray; Naranjo, Eugenia; Yeh, Alice; Ells, Steve	Naranjo, Eugenia; Basso, Ray; Greenberg, Marc; OSWER OSRTI CSTAG; Vaughn, Stephanie; Yeh, Alice	5/2008; 10/2009; 2/2011; 7,8&11/2012; 1/2013	Peer Review charge; CSM Summit; Peer Review; NRRB topics; Comments on CSM	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice.
Three emails or documents between EPA and the federal Partner Agencies incorporating attorney advice	Yeh, Alice	Mehran, Reyhan; Kubiak, Tim; Baron, Lisa; Nace, Charles; Olsen, Marian	3,7/2012	FFS DER #6, Draft Appendix C	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice.
Four emails or documents between EPA and contractors incorporating attorney advice	Buckrucker, Elizabeth	Butler, Elizabeth	October, 2007	FW: SETAC Abstracts for EPA Approval - 2 Additional Abstracts - submittal still possible today	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice.
Five documents among EPA and the federal Partner Agencies and contractors incorporating attorney advice			November, 2009	CSM Summit Action Items, Summary Info, Detailed Agenda; Summary of Observations; Sediment Characterization	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice.

Documents Withheld
FOIA R2-2014-006018

Quantity/type of document	Email from/Generated by	Email To/Recipient of	Sent Month-Year	Subjects of documents	Exemption Status
Exemption 5: Deliberative Process; Attorney-Client Communications; Attorney Work-Product					
95 emails and documents between EPA attorneys and technical personnel	Flanagan, Sarah; Hick, Patricia; Yeh, Alice; Naranjo, Eugenia; Butler, Elizabeth	Yeh, Alice; Hick, Patricia; Flanagan, Sarah; Olsen, Marian; Nace, Charles; Basso, Ray; Wagner, Amelia; Mellott, Deborah	10/2006; 5,6,7,9, 10& 11/2007; 5,7,8/2008; 11/2009; 1&11/2010; 3,5,7,8,& 9/2012; 1,10,11& 12 /2013; 1/2014	Review of FFS and its Appendices; NRRB comments and responses; Peer Review and reviewers; SETAC presentations; CSM Summit; Legal-Technical call; Conflict of Interest; EMBM	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice; attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories.
22 emails or documents between EPA attorneys	Flanagan, Sarah; Hick, Patricia	Hick, Patricia; Flanagan, Sarah	10/2006; 6/2007; 2,8/2008; 11/2009; 10/2012; 12/2013; 1/2014	Draft Appendices for Review; Sediment Transport; Conflict of Interest; Risk calculations; Peer Review Panel; CSM	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice; attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories.

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Quantity/type of document	Email from/Generated by	Email To/Recipient of	Sent Month-Year	Subjects of documents	Exemption Status
Eight emails between EPA technical personnel incorporating attorney work product and advice	Yeh, Alice; Basso, Ray; Naranjo, Eugenia	Olsen, Marian; Yeh, Alice; Basso, Ray; Naranjo, Eugenia	5/2007; 1,2/2013	Peer Review process; CARP data	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice; attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories
21 emails or documents between EPA technical personnel and contractors incorporating attorney work product	Alice Yeh; Buckrucker, Elizabeth; Butler, Elizabeth; Fidler, Bruce; Gbondo-Tugbawa, Solomon; Hayter, Earl	Buckrucker, Elizabeth; Naranjo, Eugenia; Patricia Hick; Fidler, Bruce; Yeh, Alice; Thompson, Scott; Garvey, Edward; Fitzpatrick, James; Garland, Edward; Richardson, Norman; Rodgers, Pam	5/2006; 5,6,11/2007; 5/2008; 7,11/2009; 10/2011; 1/2014	Sediment Transport; CSM-EMB; SETAC Abstracts; Coordination with NJDEP; Conflict of Interest; FFS Appendices and comments	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice; attorney work product reflecting mental impressions, conclusions, opinions and/or legal
Three emails between EPA legal personnel and federal Partner Agencies incorporating attorney work product	Kubiak, Tim; Flanagan, Sarah	Flanagan, Sarah; Kubiak, Tim	7/1/2007	Re: Diamond Alkali -LPRSA - PRP Search	Exemption 5: communicating information that reflects deliberative process and is predecisional and deliberative; confidential attorney-client communications relating to legal matter for which client has sought advice; attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories.

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Quantity/type of document	Email from/Generated by	Email To/Recipient of	Sent Month-Year	Subjects of documents	Exemption Status
Exemption 5: Attorney Work-Product and Attorney-Client Communications					
Two communications between attorneys	Hick, Patricia; Flanagan, Sarah	Flanagan, Sarah; DOJ attorney	June, 2007; August, 2008	Re: Fw: comments on the CSM peer review document	Exemption 5: Attorney-client communications; Attorney work-product reflecting mental impressions, conclusions, opinions and/or legal theories.
Exemption 5: Attorney Work-Product					
Thirty six sets of attorney notes relating to meetings or teleconferences			7&10/2006; 7&9/2007; 4,6,7,&9/2008; 2,4,6,7&11/2009; 1&10/2010; 4&12/2011; 5&12/2012	Meetings and calls including discussions of EMBM and/or CSM.	Exemption 5: attorney work product reflecting mental impressions, conclusions, opinions and/or legal theories
Exemption 5: Attorney Client					
Seven documents internal to EPA			1/30/2014	Draft Data Evaluation Reports	Exemption 5: confidential attorney-client communications relating to legal matter for which client has sought advice.